

1894-084 Chancery Causes: Gdn. of Amanda Welsh & by vs. Amanda Welsh &
Lee Co.

Greer, Yang, Lawson, Robinett, McPherson, Roberts

CA-Estate Dispute
T-Property

-Deed

To the Hon. H. K. Morison Judge
of the Circuit Court of Lee,
County Virginia:

Your orator F. W. L. Welsh
who humbly complaining
would respectfully represent
that he is the guardian of his
two infant children, Amanda
Welsh aged 7 years; and Samuel
W. Welsh aged 4 years, and they
reside with your orator in
Granger County Tenn.

These his wards are the
at law of his late wife
Welsh, whose maiden name
was Robineth being a daughter
of the late Samuel E. Robineth
deceased; and from whose estate
through their mother his said
wards derived by course of de-
scent a small amount of real
estate, being the lot assigned them
in the partition of said Samuel
E. Robineth's estate situated on the
waters of Blackwater Creek in
Lee County Virginia and known
as a part of said Samuel
E. Robineth's farm and the

Consists of about acres and is worth not exceeding \$600⁰⁰ The rents and profits of which are very small - The land is so situated as to command a full & fair if not a very high price and the money re-invested in real estate in Grainger County Tenn. will, your orator knows, be greatly to the advantage of his children and wards where the same can be cared for and overlooked by your orator - Your orator has a life estate by the Courtesy in said lands and his own interest is quite equal to that of his wards and he feels that the change is a valuable one and he hereby gives his consent to the sale of said land - and reserves his like interest upon re-investment should that be done.

Your orator alleges that the sale of said land & the re-investment in other lands in Tenn. will be greatly to his wards advantage and beneficial to them. The object of this bill therefore is to obtain a decree, directing the sale of said

land and an order directing their re-investment in real estate in Granger County Tenn.

The heirs of said wores, should they die, on the maternal side, are Emaline Greer wife of J. M. Greer, Elizabeth Greer wife of W. J. Greer, Mary Young wife of Houston Young, Annie Lawson, wife of Andrew Lawson, Zachariah Robinett and Samuel P. Robinett. And your orator qualified and gave bond in the County Court of Lee County, Virginia.

The premises being returned your orator pr

Samuel W. Welsh and, Emaline Greer Elizabeth Greer, Mary Young, Annie Lawson, Zachariah Robinett and Samuel P. Robinett

be made parties defendants to this bill, that a guardian ad litem be appointed for said infants and required to answer for them. And on a hearing a decree be rendered directing a sale of said land and directing a re-investment of the proceeds in real estate in Granger County Tenn. And for all other further and general relief may, *Supra* issue &c.

A. A. Ordineus P. q.

Granger County Tenn.

This day F. W. L. Welsh personally
appeared before me the undersigned
and made oath that the facts stated
in the foregoing ~~Answer~~ Bill are
true Given under my hand this
3rd day of Nov 1890

J. L. Acuff J. P.

J. J. Myrduman, clerk do hereby certify
that J. L. Acuff whose name appears
above is a justice of the Peace for Granger
County.

Witness my hand & office Nov. 3, 1890.

J. J. Myrduman Clerk

F. M. L. Welsh granted

Bill charged

Amanda M. Welsh

1890 1st Nov. Rules Bill

filed Spec Bid, on
defts & D. M. as to
& order paid as to
residents

" 2nd Nov Rules D. M.

" & Court for orders

" 1st Dec. Rules taken

Monday in Nov.

order paid complete

& cause set for the

18th March Term

Decees for Sale

" June & Nov Court

1892 Decees & Court

1893 Court this year

1894 Court March Term

1894 Court March Term

1894 Court March Term

1890 12.22 m
" 1891 3.25 m
" 1892 5.00 m
" 1893 5.00 m
" 1894 5.00 m
" 1895 5.00 m
" 1896 5.00 m

1897 1.50 m
1898 6.00 m
1899 6.00 m

\$50.57 m

Com. 1897 m

ad. 1897 m

H.C. 7.11

Ad. 6.00

Ad. 1.11

M.C. 2.14

\$3.25

To The Hon. H. S. K. Morrison
Judge of Lee County Court.

The separate answer of
Annanda M. Welsh and Samuel W.
Welsh, infants under 21 years
old, by L. S. G. Hyatt their Guard
ad litem to a Bill in Chancery
filed in this Hon. Court by
L. M. L. Welsh, Guardian to these
and other defendants,

For answer these respondents
by their said Guard ad litem
saith they nor he knows any
thing of the allegations in
said Bill, and said infants
being of tender years 4 & 8 years
only, are not capable of giving
advise as to their interest, hence
their rights are placed in
your Honors hands where
your respondent is certain
their said rights will be
well protected and they
ask to be hence dismissed
with their reasonable costs.

Respectfully,

Submitted
L. S. G. Hyatt

* Conveying the land in the Bill mentioned
to S. P. Robins^{on} the purchaser thereof

W. F. W. L. Welsh guardian
against } In Chy-
Miranda Welsh et al }

This cause came on this day
to be again heard upon the
papers formerly read & the report
of deed made by D. F. Sewell,
Special Commissioner filed Oct 22^d
1894 to which there are no
exceptions & was argued by
Counsel. On consideration of
which it is adjudged ordered
& decreed that said report
be & the same is hereby confirmed
& the deed ^{being} seen &
inspected by the Court is
confirmed & made final & it
is further ordered that the clerk
of this Court deliver to the
said S. P. Robins^{on}, purchaser,
the said deed & it is adjudged
that said S. P. Robins^{on} pay unto
said Sewell ~~\$25~~^{\$50} for making
& reporting said deed for which
execution may issue & this cause
is stricken from the docket.

F. W. L. Welsh guard,

vs { Deere final
Amanda Welsh eta

Nov. 7. 1894-

Entered in
Chancery Order
Book Page 79

Enter this
M. J. M.
Nov 14th 1894-

F. W. L. Welsh guard for re
Against } In chry
Amanda M Welsh et al }

This cause came on this day to be again heard upon the papers formerly read & the report, receipts & exhibits of Special Commissioner, Sewell filed on May 22nd / 1894 & was argued by counsel. On consideration of all which, no exceptions having been filed to said report the same as well as the disbursements made by said Commissioner for which he files proper receipts are each confirmed & made final; and it further appearing from said report that Samuel P. Robinson purchaser of the land herein sold, has paid to F. W. L. Welsh guardian as per a former decree herein & filed his receipts with said report to that effect, it is adjudged, ordered & decreed that said Commissioner Sewell is hereby discharged from all further liability resting upon him as such Commissioner & his acts as Commissioner are fully approved & confirmed & that said guardian Welsh as such become & is chargeable with the proceeds arising from said sale amounting on the 4th day of May 1894 to \$370⁰⁰; & it is further decreed that said Sewell, who is hereby appointed a commissioner for the purpose do convey to said purchaser Samuel P. Robinson the said land & report his action to the next term of this court & the cause is continued —

F. W. L. Welch guardian

of

Amanda M. Welch et al

June 7. 1894

Entered on Chy. O. Book 4 P. 17
H. B. Munsey

Enter this

June 11th / 1894
H. B. Munsey

F. H. L. Welch guardian - } In Chy-
vs
Amanda M. Welch et al

1 This cause came again this day to be heard
2 upon the papers formerly read in the cause and
3 the report of S. P. Sewell of the court filed Oct 23^d
4 1893 to which there are no exceptions &
5 was argued by counsel. On consideration whereof
6 said report is confirmed and it appearing
7 to the court from said report that
8 the said F. H. L. Welch plaintiff has executed
9 before the clerk of this court the bond required
10 by a former decree in this cause and
11 that said bond is sufficient together
12 with his bond executed in the state of
13 Tennessee to entitle him to receive the
14 funds in Comr. Sewell's hands, the said
15 Court will proceed to collect the same
16 & pay it over to the said Welch guardian
17 & in making said collections said Court
18 will give David E. Robinson, the purchaser
19 of said land credit for such sums
20 as may be satisfactorily shown to have
21 been paid by said purchaser to said
22 guardian and such sums so received
23 by said Welch either from the purchaser
24 or Court shall be & the same is hereby
25 chargeable to said Welch guardian
26 as aforesaid. And when said Court
27 shall have collected & disbursed the sums
28 herein directed to be done or be satisfied
29 that said purchaser has paid the same
30 to said Welch guardian, he will report
31 the same to some future term of this Court
32 & the cause is continued.

F. M. L. Welch guar
by order
Amanda M. Welch

Nov. 7. 1893

Entered Ch. O. B. p. 519 & 520

Nov. 13th 1893.

Enter this

Nov. 13th 1893 -

H. S. R. M.

F. H. L. Welch guard.

against

Wanda M. Welch et al

In Chy-

This cause came again ^{this day} to be heard upon the papers formerly read in the cause and the reports of D.C. Sewell special comm. filed May 20th 1892 and September 30th 1892 to which of which there is any exceptions and was argued by counsel. On consideration whereof ~~the~~ ^{said} report filed May 20th 1892 and the sale therein reported are each confirmed; and said report filed Sept. 30th 1892 there being no exceptions is also confirmed, and it appearing to the court from said last mentioned report that said F. H. L. Welch, plaintiff has executed before the clerk of this court the bond required by a former decree of this court and ^{said court knows nothing personally of its sufficiency it adjudged that} that said bond is ^{not} sufficient together with ~~his bond executed in the state of Tennessee~~ to entitle him to receive the funds in Comm. Sewell's hands the said Comm. will proceed to collect the same and ^{but will not} pay it over to the said Welch, guardian ^{as anticipated by the court in making} said collections said Comm. will give ~~Samuel E. Robinson, the purchaser of said land~~ credit for such sums as may be satisfactory shown to have been paid by said purchaser

(1.)

to said guardian Helek and such sums
so received by the said Helek either from
the purchaser or owner. shall be and the
same is hereby chargeable to said Helek
guardian as aforesaid, and when

said owner shall have collected &

distressed the sums herein directed
to be done he will report his ac-

tion to some future term of
this court, and the cause
is continued.

Helek guardian of said Helek's estate

After report of guardian

7th L Welch guard
25³/₃ Decree
Amanda M. Welch Hol

March 7. 1893
Entered Chy B
page 467 - 8 March
14th 1893. J. A. Hyatt

Enter this
March 14 1893
H. H. H.
1. 1. 1.

F. W. L. Welch Guardian of the Person
Against
Amanda Welch et al Depts } In Chancery

This cause came on again this day to be heard upon the papers formerly read and the report of D. P. Swell Special Commissioner filed 20th day of May 1892, to which there are no exceptions, and was argued by counsel. On consideration of which and for reasons appearing to the court it is adjudged ordered & decreed that the payment made by Samuel & Robinson the forerunner to F. W. L. Welch is not a good & valid payment and Commissioner Swell will retain in his hands said bonds. And the said Welch shall not be entitled to said money until he executes bonds before the clerk of this court in the penalty of \$800⁰⁰ as guaranties of said infants & when that is done Commissioner Swell will report the facts to this court & the cause is continued.

F. W. L. Welch junr
vs} Deane
Amada Welch et al
vs} Tracy
J. B. Payer 42nd
June 14 1892.
(Dyall C)

Enter this
H. S. K. M.

June 13 1892

J. M. L. Welsh guardian

Amanda M. Welsh et al ^{Defendants}
This

Cause came on this day
to be heard upon the
bill of the plaintiff, taken for
compulsory against the adult
home defendant, and order
of publication duly made
against non residents; ~~and~~ the
answer of Amanda M. Welsh
and Samuel Welsh infants by
their guardian ad litem John
A. G. Hyatt, and replication
thereto & the depositions of
witnesses and was argued by
Counsel. On consideration
of which and for reasons
appearing to the Court, it
being fully proven that it
is to the advantage of the in-
fants to do so, it adjudged
order and decreed that that
the lands in the bill mentioned
be sold upon a credit of
one or two years, by pub-
lic outcry to the highest bidder.

To affect which D. C.
Sewell is hereby appointed
a special Commissioner
whose duty it shall be to
sell said lands on some
Court day ~~to the~~ at the
front door of the Court
House of this County, in
the manner & on the time
herein decreed. He will re-
quire so much paid in
hand as will pay the cost,
and expense of sale, and for
the residue take bonds pay-
able to himself as Curor, bear-
ing interest from day of
sale. He will also ascertain
and report who is the foreign
guardian of the infant, and
whether or not he has in
the County Court of this County
& in the State of Tennessee
bonds and good & sufficient
security to cover the costs of
sale, to go into his hands.
But before proceeding
to execute this decree the

Said Court will execute
bond before the Clerk of this
Court conditioned to duly
perform the duties herein
assigned him, in a penalty
of \$1000. with ample secu-
rity. He will then adver-
tise the time place & terms
of said sale for at least
25 days on the front doors
of the Court House of this
County & in the neighborhood
where the land lies. He will
report his actions to this
Court at its next term &
the cause is continued.

Introduction
Rebecca Welsh
Madam
Terrell

Welsh guest

& } Deane
faded

Welsh & al

Entered May 18
324. April 1897
Hypoth.

Enter this

Apr 1 - 1897

112.00

Virginia

At a Circuit Court Continued and
held for Lee County at the Court-house
thereof on Monday November the 13th 1893.
F. W. L. Welch Guardian Plff

vs

Amanda Welch et al Defts

In Chancery

This Cause came on again this day
to be heard upon the papers formerly read
in the Cause and the report of D. C. Sewell
Spe. Commr. filed October 23rd 1893. to which
there are no exceptions & was argued by
Counsel. On consideration whereof said
report is confirmed, and it appearing
to the Court from said report that the said
F. W. L. Welch, plaintiff has executed be-
fore the Clerk of this Court the bond re-
quired by a former decree in this Cause
and that said bond is sufficient to-
gether with his bond executed in the
State of Tennessee to entitle him to re-
cover the funds in Commr. Sewells hands
the said Commr will proceed to collect the
same & pay it over to the said Welch Guardi-
an, and in making said Collections said
Commr. will give Samuel E. Robinett the
purchaser of said land Credit for such
sums as may be satisfactorily shown
to have been paid by said purchaser to
said Guardian and such sums so
received by said Welch either from the
purchaser or Commr. shall be and the same

is hereby Chargeable to Said Welch Guardian
as aforesaid, and when Said Comr. Shall
have Collected and disbursed the Sumo
herein directed to be done or be Satisfied
that Said purchaser has paid the Same
to Said Welch Guardian. he will report
the Same to some future term of this
Court, And the Cause is Continued

A Copy

Teste AB Munsey Clerk

F. W. L. Welch Guard

or Copy of Decree

Amanda Welch et al

Clerk 25th

The deposition of F. M. L. Welsh taken at the clerk's office of the Circuit Court for Lee County Va. on the 20th day of March 1871, which are intended to be read as evidence on behalf of the Plaintiff in a Chancery Cause now pending in Lee Circuit Court in which said F. M. L. Welsh is plaintiff and Amanda Welsh et al is defendant.

Said F. M. L. Welsh being duly sworn deposes and says -

Ques 1st By J. H. Connel.

What state you are in and your occupation?

Ans - I am 31 years old, I reside in Brainerd County Tenn, and am a farmer by occupation.

Ques 2 By same.

What relation do you bear to the infant heirs of Rebecca Welsh & which interest have you in said infants last acquired from prob of the estate of Samuel S. Robinson?

Ans I am the father of said heirs

and am also their Guardian
having qualified in this
County and State as such
and hold and have a life Estate
by Courtesy in their real Estate
in this County, being a part
of the Samuel E. Robinson
Estate.

Question

Are you acquainted with said land,
- if so, are you willing to have the same
sold & do you think it would pro-
mote the infants interests to have
same sold? & why?

Ans

I am well acquainted with
said land, and am willing
to have the same sold, because
I think it will be greatly to
the interest of said infants &
all parties concerned to have
said land sold, because
the fund arising from the
sale thereof, either put at in-
terest or judiciously invested
in other real estate in Oregon
County Term, would be greatly
to the interest of said heirs,
and because should this

scraps of land, situated as it is, be rented publicly, annually until said heirs become of age, the land at that time in all probability would be worthless and the rents and profits would scarcely pay taxes and expenses.

Question by same -

Please state whether in your opinion said land could now be sold for its worth?

Ans. - I think the land can be now sold for a fair and full price. I have had some private offers made on said land, and am confident it can be sold for a good and full price. I consider 3 or 400 hundred Dollars would be a fair price. Other like shares in said farm have been sold for 300\$.

And further this witness saith not

J. M. L. Welch

Virginia

Lee County to wit. -

I J. A. Hyatt Comm in Chy &c.
do hereby certify that the foregoing
depo. was duly taken sworn
to and subscribed before me
on this 20 March 1871.

J. A. Hyatt Commr

J. W. L. Welch

203 Depo.

Amador, March 20/71

Filed March 20/71

J. A. Hyatt C

Commiss. &c.

The depositions of John
W. McDermott, Esq. and
and H. J. Lusk taken
at the office of the
District Court for the
Northern District of California
in the case of
H. M. Lusk vs. H. M. Lusk

Present - The Court
Lusk as Intervenor for the
defendant and
Plaintiff.

John W. McDermott, Esq.
a lawful age sworn and says
I am a depositor and says.

Answer Plaintiff

Are now acquainted with the
land assigned to the heirs of
Rebecca French out of the
General E. Robinson farm
I am well acquainted with
said land, I reside near
by said land, and have
known it for the past twenty
years. I am a farmer by

Ans.

occupation and I am a reasonable I think of the value of land. ~~The land~~ the most of said land is rough and steep.

Ques

By same.

From your knowledge of said land what is the amount thereof and for what is it adapted.

Ans -

From the Plat. of said land I see that there is 50 acres of it, and there would have to be considerable work done on it before it could be used for any purpose, but when put in proper condition it is more adapted for grazing purposes than any other.

Ques

By same -

Please state whether in your opinion said land could be now sold for its worth for ^{any} ~~any~~ purposes.

Ans -

I think it could.

Ques

By same - Do you think it could

promote the interest of said
heirs to sell their said land
and if so at what price?

Ans

I think it would, (at the price
of \$300 or 400 \$) because this amount
of money put at interest or
invested judiciously at other
points would be more advan-
tageous to them, because the
interest of this amount in either
case would be more than
the rents and profits of said
land, by her after keeping
it in repair paying taxes,
in its present condition it
has but little if any rental
value.

Que

By same. Where do these infant
heirs live?

Ans

They live in Orange Co. Tenn.
being named Anna, Malissa, and
Samuel. Walsh - ages, respectively
8 and 4 years - the girl being
the elder.

Que

By same - Have you any interest
direct or indirect in the sale
of this land?

Ans

I have not

Cases By Canadian and others.

Why do you think it would be
to the interest of said land to
sell their said land at the
price of \$300 or even 400#?

Ans. - Because said land and their
father live distant from said
land, and because if said
land should be sold pub-
licly before they become
of age, by that time it would
be worn out and comparatively
worthless, and the rents and
profits would not more than
pay the taxes and keep the land
fenced and the fences out
down, while the money at
interest or judiciously in-
vested elsewhere would grow
them at the time they arrive
at the age of 21 years a
very little fortune, and possibly
help them to be educated.

And because said land is not
susceptible of being again raised
to any advantage,

And further the witness says that

J. H. H. H.

Colabe Roberts an other witness
of lawful age being duly sworn
deposed and says

I am a farmer by trade
and live in the neighborhood
of the land assigned to me
by Rebecca Welch out of the
lands of Samuel E. Roberts
decd. and have so lived all
my life and I am now over
50 years old.

I have heard the foregoing
questions asked John H. Mc
Pherson and his answers
given thereto, and my answers
to the same questions are the
same as given by him and
I hereby endorse them and
make them my answers
to said questions both
as to the direct and cross
examination

and further the witness hath not
C. C. Roberts

A. J. Lamson an other witness
of lawful age being duly sworn
deposed and says

I am well acquainted with

the land here in question I have
known it for the past 8 years -
I have no interest whatever
in the sale of said land
except interest to this land
off by Curre, ~~to this interest~~
has been sold at the price
of \$3000, and I consider
\$3000 is being a fair and full
price for said land and
more than it is worth for
farming and grazing purposes,
it is now in very bad
condition, grown up in brush
where it has been cleared,
not well fenced and has but
very little if any rental value
and there is a small portion
assigned there which is
covered by a dower interest
which renders it nearly
valueless to them, and
from a general review of the
whole matter, I consider
that it will be greater to
the interest of said heirs to
receive the price offered for
said (\$3000) land.

The donor interest is separated
from the other tract and is only
82 acres, and some of this land
could be well divided because
of its location and uneven
surface. and it is stated the
interest of said heirs will be promoted
by a sale thereof;

And further the witness saith not.

J.D. Clamm

J. B. West, N. P. R.

Verdine

Lee County to wit: -

I John B. West Notary Public
for Lee County do hereby
certify that the foregoing
declarations were taken before
me at the time and place
mentioned in the caption
Sworn & subscribed by the
witness in due form
Given under my hand this
March 7th 1874.

John B. West, N. P. R.

W. L. Nelson

Cape.

See also Nelson

Green tailed.

May 1/91.

White tailed

Free for sale

Best - 1.50

8 00

F. M. L. Welsh guard &c

vs

In Chancery

Amanda M. Welsh et al

To the Hon. H. S. T. Morrison, Judge of
the Circuit Court for Lee County, Virginia.

Pursuant to a decree rendered
and pronounced in the above styled cause
of said court, on the 1st day of April
1891, the undersigned was appointed a special
commissioner for the purpose of selling the
land in the bill mentioned; he do leave
to report. That pursuant to the terms
of said decree your court, after giving
due notice of the time, place & terms of
sale, by posting written notices at
three public places in said county, one
of which is in the neighborhood of where
the land lies & another on the front door
of the court house of said county, which
was at least 25 days prior to the day
of sale, proceeded on Monday, the 4th
day of May, 1891, that being court day,
at the front door of the court house, to
sell said land at public outcry to
the highest bidder on a credit of
1 & 2 years except a sum sufficient to
pay the costs of said suit & commission
of sale, which latter would be required cash in
hand.

Your court. offered said land for
sale at the time, place & manner afore-

1 said, and said P. Robinett being the
2 highest bidder became the purchaser
3 of said land at said sale at the price
4 of four hundred dollars. The cost
5 of said suit as taxed by the clerk
6 amounts $\$50^{57}$ & the commission
7 of sale $\$14^{99}$. Your court required
8 said P. Robinett, the purchaser, to pay
9 $\$64.06$ in hand the cost & commission
10 and for the residue $\$335^{94}$ he
11 took said Robinett's bonds with
12 A. J. Dawson as surety payable to
13 himself as court bearing interest
14 from day of sale.

15 Out of the amount paid in hand
16 $\$64.06$ your court retained $\$14^{99}$ as
17 commissions of sale; he paid to
18 A. L. Pridemore $\$15^{00}$ the attorney's
19 fee in said suit, to J. A. & Hyatt
20 $\$31.47$ being the clerks fee, writ tax,
21 printers fee for order of publication, ^{Estimated Cost,} and
22 S. A. L. fee in said suit as the ~~printers~~ ^{printers} fee
23 was assigned to him & to G. B. Hallen
24 deputy sheriff for St. B. Murray S. L. &
25 $\$2.60$ the sheriff's cost, and witnesses fee
26 amounting to $\$150$ were paid & did not
27 come into my hands. Receipts for said
28 disbursements & the bonds of said
29 Robinett & surety are in the posses-
30 sion of your court.

31 As to the further question to be

ascertained as to whether or not there
is a foreign guardian of the infants
& whether or not he has given bond
with good & sufficient security to
cover the amount of sales to go
in his hand, either in the county
court of this County or in the state
of Tennessee, your court reports that
he finds on record in the County Court
clerk's office of this County that at
the May term thereof for 1891 said
F. M. L. Welch guardian of said infants
gave a bond in the penalty of
seven hundred dollars with A. J. Lawson
and S. P. Robinett as sureties, which
was accepted & confirmed by order of
said Court, but cannot ascertain
whether said Welch has given any
bond in the state of Tennessee and
no evidence to that effect has been
produced to your court.

Your court believes said sale to be
a good one & recommends its confirma-
tion.

All which is respectfully submitted,

D. P. Sewell

Special Comm.

Since making the above report your
court has received a transcript
of the appointment & bond of F. M. L.
Welch as guardian for Anne M. and

1 S. W. Melsh in the state of Tennessee
 2 ~~properly~~ signed & sealed by the clerk
 3 of the Granger County Court, which
 4 transcript of appointment & Bond
 5 you comr files herewith marked
 6 "A". Respectfully Submitted
 7 J. C. [Signature]
 8 J. C. [Signature]
 9
 10
 11
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7 M. L. Melsh grand juror
 1873
 1874
 1875
 1876
 1877
 1878
 1879
 1880
 1881
 1882
 1883
 1884
 1885
 1886
 1887
 1888
 1889
 1890
 1891
 1892
 1893
 1894
 1895
 1896
 1897
 1898
 1899
 1900

Filed Aug 10 1891
 J. C. [Signature]

To the Hon. HSK Morrison Judge of the
Circuit Court for Lee County, Virginia:
your Undersigned spe. Court. ap-
pointed in the Chancery cause of
F. M. L. Welch vs Amanda Welch others
would respectfully report:

That sale of the land in the bill
& proceedings mentioned was made
& notes executed to your Court as
previously reported, but that Saml E.
Robinet the purchaser at said sale
thinking that to pay to F. M. L. Welch
Guardian would be proper & taken in
satisfaction of said notes executed
to your Court as aforesaid, has paid
said Welch the sum of \$214⁵⁰.

Upon the day that the first note
became due the said Robinet and
Welch applied to your Court & asked
that the said sum of \$214⁵⁰ be taken
in payment of the first note then due
& the balance be credited on the
second note, but your Court, being
unwilling to receipt said Robinet for
money not actually had in his hands &
not knowing just what would be proper
to be done reports the facts to your
honor to be determined &c. Also files
herewith marked "receipt" the receipt of said
Welch to said Robinet for the said sum
\$214⁵⁰ asked to be taken in payment
of the 1st note & balance credited on the
second note

Your Court. would also report that

since filing his final report he has made special inquiry in regard to ~~condition~~^{security} of J. H. S. Welch in this state & finds that it is reported that S. P. Robinson one of his security has not yet attained his majority & therefore the bond as to him would not be good ~~as to him~~. Your court has not been able to find out the financial condition of A. J. Lawson the other security for the said Welch in this state.

Your court therefore suggests that before the said Welch could receive the money as guardian in this state it would be necessary for him to execute a new bond. The said Welch however files (as before reported) a transcript of the record showing his qualification as guardian in the state of Tennessee of these same infants & that bond seems to be sufficient there. Now, if the money can be properly paid to said Welch as such foreign guardian, then it would seem that the notes might be turned over to him & this matter ended, but unless that can be done then your court suggests that he execute a new bond in this state.

Respectfully submitted,
D. S. Sewell
Spec. Comm.

F. M. L. Welch guard or
w/ 2nd Report of the
~~Comm~~
Amund Welch et al

Filed May 1871

U. S. District Court

F. W. L. Helch guardian

vs

Amanda M. Helch ^{guardian}

} Du. chy

As required by a decree rendered in this cause at the June term of your honor's court for 1892 your undersigned special commr. begs leave to report. That the said F. W. L. Helch did on the 28th day of Sept. 1892 execute a bond before the ^{deputy} clerk of your honor's court in the penalty of \$800⁰⁰ with Thomas Lawson and Andrew Lawson as his surety as guardian of the said infants, Amanda M. & Samuel H. Helch, which may be seen by an inspection of said bond, and which your Commr. supposes good or the clerk would not have accepted the same. However, your Commr. is not acquainted with said parties and surety as aforesaid.

Respectfully
D. C. Sewell
Sps. Commr.

F. W. L. Welch guar

10 } Spe Comm
Report.

Amanda M. Welch

Filed Sept 30 1892
J. S. Hyatt

F. W. L. Welch guardian
vs

Amanda M. Welch et

} In chancery.

As required by a decree rendered
in this cause at the March term
of your honor's court for 1893, your
undersigned special commr. would res-
pectfully report, that the said F. W. L.
Welch has given additional security
as required by said decree, that is
has ~~added~~ added to his security-
the name of S. P. Robinson, which
taken together with the former
security, namely Thomas & Andrew
Lawson makes the bond require
good & sufficient in the opinion
of your commr. ~~the same is~~

Respectfully submitted

A. P. Seiwel

Spe. Comr.

L. M. L. Welch guard-

253 Report of Spe Comm.

Amanda M. Welch et al

Filed Oct. 23. 1893

C. B. Munsey &

per H

F. W. L. Welsh Guard &c

vs

} In chg -

Amanda M. Welsh et al }

To the Hon. W. T. Miller, Judge of
the Circuit Court of Lee County, Va.

Your undersigned Special
Clerk begs leave to report: That
on May the 4th 1894 that the plaintiff
herin & Saml P. Robinson the purchaser
of the land sold herin met at
his office, & that pursuant to
the requirements of the decree entered
in this cause on Nov 13th 1893, the
said purchaser, Saml P. Robinson
presented to your Court receipts
from F. W. L. Welsh guardian ^{showing} &c, fully
paying ^{of} the notes ^{of interest thereon}, in your Court
hands for the purchase price of
said land. Said receipts were
for the following amounts & for payments
at the following times:

1 st	Receipt as of May 4 th 1892 for	\$121 ⁹⁰
2	" Notes " 4 th 1894 "	248 ⁸⁰
Total		\$370 ⁷⁰

Said Amount of \$370⁷⁰ said Welsh
~~should~~ be come chargeable with
as of above dates as the guardian
of his wards Amanda M. & Saml H
Welsh.

Your Court likewise took from
said Welsh a receipt in full
satisfaction of said notes & filed

the same herewith marked "A"
as a part of this report.

Said purchaser, David P Robinson
accordingly is entitled to a
deed for said land -

Respectfully submitting,

D. S. Sewell

Spec Court -

F. W. L. Welsh guard force

27 3/4 Spe. Cour -
Report

Amanda M. Welsh et al

Filed May 22^d / 1894

A. J. Munsey CLK

F. W. L. Nelson guardian of } In Chy.
7 v 1 }
Amanda M. Nelson et al }
To the Hon W. T. Miller, Judge
of the Circuit Court of
Lee County, Virginia;

Your undersigned special
Clerk, begs leave to report:
That pursuant to the terms
of a decree entered in this
Cause at the June term 1894
he has executed & need to
S. P. Robinson, the purchaser of
the tract of land in the
Bill described, conveying the
same to him & herewith reports
the same for the inspection
of the Court.

Your commission charged \$2.50
for making & reporting said
deed, which said Robinson
should pay.

Respectfully,
D. C. Sewell
Spec Clerk

F. W. L. Welch quondam

v33 Report Deed

Am. B. 'Welsh' & Co.

Filed Oct 22^d

1894.

W. B. Munsey Clerk

The State of Tennessee,

Be it remembered that at a
Chairman's County Court began
and held for the County of Grainger
at the Court House in Rutledge
on the 1st Monday of October 1891
it being the 5th Day of said month
present & presiding the worshipful
G. B. Mitchell, Chairman, &c., before
whom the following proceedings
were had and entered of record in
open Court, to-wit:

A. W. Day Clerk was appointed
Guardian for Anna M. E. S. N.
Welch minor orphan and entered
into bond with J. H. Welfenberg
and Anna Welch as his securities
in the penalty of \$800- which bond
was approved by the Court and ordered
the record.

Bond.

State of Tennessee, Grainger County.

We F. M. L. Welch, J. N. Weyenburger
and Anna Welch are here and firmly
bound to the State of Tennessee, in the
penal sum of Eight hundred Dollars.

Witness our hands & seals this
5. Day of October A.D. 1891.

The condition of this obliga-
tion is such, that whereas the above
bound F. M. L. Welch has been appointed
guardian of Anna M. Welch and
Saul. N. Welch minor heirs of F.
M. L. Welch.

Now if the said F. M. L. Welch
shall well and truly perform the
duties which are or may be required
of him by law as such guardian,
then this obligation shall void, other-
wise to remain in full force and virtue.

F. M. L. Welch, (Seal)

J. N. Weyenburger, (Seal)

Anna ^{her} Welch (Seal)
name

ACKNOWLEDGED and approved in office

Court, this 5. day of October 1891.

G. B. Mitchell, Chairman

State of Tennessee
Grainger County, I, J. McFaidman, Clerk of
the Court, Court of said County,
do hereby certify that the foregoing
is a true, full & perfect transcript of
of the proceedings & bond in the County
Court of Grainger County in the
appointment of F. H. L. Welch as guardian
for Anna M. vs. H. Welch. minors, as
the same appears of record in this office.

Witness my hand & official
Seal at office in Greeneville this
Oct. 12, 1891. J. McFaidman, Clerk
Grainger Co. Court.

Manuscript of
Appointment & Bond
of
F. M. L. Welch as
guardian for Anna
M. & S. N. Welch.

"A"

This Deed, made this 22nd day of October, 1894, between D. P. Sewell Special Commissioner, as hereinafter set forth, party of the first part and S. P. Robinett of the County of Lee & State of Virginia of the second part:

Whereas by a decree of the Circuit Court of the County of Lee, entered on the 1st day of April 1891, in the chancery cause entitled, F. M. & Welsh guard &c against Amanda Welsh et al, therein depending, it was among other things, adjudged, ordered & decreed that D. P. Sewell, who was then appointed Special Commissioner for the purpose, should sell by public auction, after certain advertisement, and upon certain terms in the said decree fully set forth, certain Real estate therein described; and

Whereas, the said Commissioner pursuant to the said decree, did, on the 4th day of May 1891, after having duly advertised the same in accordance with the terms of said decree, offer for sale, by public auction, the following described real estate, to wit, a tract or parcel of land lying in Lee County Va on the waters of Black Water Creek & is known as a part of the Samuel E. Robinett farm being that part which was assigned

in the partition of ^{the} said Robinett's estate
to Rebecca Welsh ^{formerly Robinett} containing
about 65 acres.

At which sale the said S. P. Robinett
made the last & highest bid ^{& therefor}
and became the purchaser thereof at
the price of four hundred dollars;

And Whereas, the said sale was
reported to the court by said Special
Commr. and was by another decree,
entered in said cause, by said
court approved & confirmed; and

Whereas, the said S. P. Robinett hath
paid the purchase money, which payment
was duly reported to the said court,

And whereupon, by another decree entered
by said court in said cause, the
said D. S. Sewell was appointed Special
Commr. to execute & deliver to the said

S. P. Robinett a good & sufficient deed,
with Special Warranty conveying the
said real estate in fee simple.

Now, therefore, This Deed Witnesseth,
That for & in consideration of the
premises and in obedience to said
decree, the said D. S. Sewell, Special
Commr. as aforesaid, doth grant unto
the said S. P. Robinett, with Special
Warranty, the real estate hereinbefore
fully described. Witness the following
day, nature & seal.

D. S. Sewell Commr. Seal

VIRGINIA, LEE COUNTY, TO WIT:

I, J. F. Richmond clerk of the county court for the county aforesaid, in the State of Virginia, do certify that D. C. Sewell

whose name is signed to the writing above, bearing date on the 22nd day of October 1894, has acknowledged the same before me, in my county aforesaid, and said deed is admitted to record. Given under my hand this 26th day of October 1894

J. F. Richmond Clerk.

S. P. Duvall ^{Gen}
24 Dec
S. P. Robins

KNOW ALL MEN BY THESE PRESENTS, That we *F. W. L. Welch, Thomas Lawson & Andrew Lawson & S. P. Robinett*

are held and firmly bound unto the Commonwealth of Virginia, in the sum of *Eight*

hundred dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of United States. Sealed with our seals, and dated *28* day of *September*, one thousand eight hundred and *seventy two*.

The Condition of The Above Obligation is Such, That if the above bound *F. W. L.*

Welch shall faithfully perform the duties of *Guardian* office for trust, as *Annie M. Welch* & *Samuel H. Welch*.

under a decree of the Circuit Court of the County of Lee, pronounced on the *13th*

day of *June*, 18*72*, in the suit therein depending under the name and style of *F. W. L. Welch Guardian &c* Plaintiff vs. *Annie M. Welch* Defendant

and properly account for all sums of money *That he* may receive as such *Guardian*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

J. R. Gibson

F. W. L. Welch (SEAL.)

Thomas Lawson (SEAL.)

S. P. Robinett (SEAL.)

Andrew Lawson (SEAL.)

In the Clerk's Office of the Circuit Court of the County of Lee

This day *Thomas Lawson & Andrew Lawson* suret *is* on the above bond, made oath before me *J. A. G. Hyatt*, Clerk of the Circuit Court of the County of Lee, that *they* *\$1700.00 + S. P. Robinett \$800.00* estate after the payment of all *their* just debts, and those for which *they* bound as security for others, and expect to have to pay *are* worth the sum of *\$1700.00* dollars.

Given under my hand this *28* day of *Sept.* 18*72*.

Teste: *J. R. Gibson D.* Clerk
J. A. G. Hyatt

F. W. L. Wesh Guard
vs ³ Bands

Armed Wesh et al

Filed Sept. 20 1892

J. A. Hyatt

Rem. 100 24

KNOW ALL MEN BY THESE PRESENTS, That we

D. C. Seavey
and J. A. Hyatt
are held and firmly bound unto the Commonwealth of Virginia, in the sum of *One*
thousand dollars, to the payment whereof, well and truly

to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our
and each of our heirs, executors and administrators, jointly and severally, firmly by these
presents, hereby waiving the benefit of our homestead exemptions as to this obligation,
and any claim, right, or privilege to discharge any liability arising under this bond, or by
virtue of said office or trust, in any currency, funds, counter claims or offsets other than
legal-tender currency of United States. Sealed with our seals, and dated, *6th* day
of *April*, one thousand eight hundred and *Ninety one*

The Condition of The Above Obligation is Such, That if the above bound
D. C. Seavey
shall faithfully perform the duties of *his* office or trust, as *Commissioner*

under a decree of the Circuit Court of the County of Lee, pronounced on the *1st*
day of *April*, 18*91*, in the suit therein depending
under the name and style of *J. W. L. Wells* Plaintiff
vs. *Maranda M. Wells* Defendant

and properly account for all sums of money *he* may receive as
such *Commissioner*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the
presence of

D. C. Seavey (SEAL.)
J. A. Hyatt (SEAL.)
(SEAL.)

In the Clerk's Office of the Circuit Court of the County of Lee

This day

suret on the above bond, made oath before me J. A. G. Hyatt, Clerk of the Circuit
Court of the County of Lee, that
estate after the payment of all just debts, and those
for which bound as securit for others, and expect to have
to pay worth the sum of

dollars.

Given under my hand this day of 18

Teste: Clerk.

Mr. Melick

no 3 Board

Price for Melick

Price for Melick

J. H. Melick

In the Clerk's Office of the Circuit Court of the County of Lee on the 27th day of
October 1890

H. W. L. Welsh ~~husband~~ Plaintiff.

against

Anne L. Welsh & others Defendant

The object of this suit is to sell the Land in the
Bill and proceedings mentioned

And an affidavit having been made and filed that the defendant ~~and~~ Mary Young
~~and~~ ~~Richard~~ ~~Robnett~~ ~~are~~ ~~not~~ residents of the State of Virginia, it is
ordered that they do appear here, within fifteen days after due
publication hereof, and do what may be necessary to protect their interest in this suit.
And it is further ordered that a copy hereof be published once a week for four weeks in
some newspaper, and that a copy be forthwith posted at the front door of the court-house
of this county.

A copy—Teste:

A. L. Trimmer

P. q.

J. L. Hyatt Clerk.

L. W. L. Melchior
vs $\frac{1}{2}$ Order Rule

Amund Melchior

I certify that I
delivered an office
copy of this order
to the Rep. for Rule
on the 27th Oct X
pasted a like
copy thereof on
the front door of
Lee County Court
house on the first
day of the 100th
Term 1890 of the
County Court

J. A. S. Hyatt

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

Amanda Welsh,
Samuel W. Welsh, Emiline Greer, wife
of J. M. Greer, Elizabeth² Greer, wife of
W. J. Greer, Mary Young, wife of Houston Young,
Ann³ Lawson, wife of Andrew Lawson,
Zachariah Robinett and Samuel P. Robinett

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
in *November* next, being rule day to answer a bill in Chancery exhibited in our said Court
against *them* by

H. W. L. Welsh
Guardian

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *29th* day of *October* 18*90*, in the 11*5* year of the Commonwealth.

A Copy Teste

J. A. G. Hyatt Clerk.

W. L. P.

H. W. L. Welsh et al

vs } Spc in Chcy
 }

Amanda Welsh et al

Lo 1st Novr. Rules 1890

Executed by deliver-
ing office copies
of this Spc to Edwaline
Greer, Elizabeth Greer
Annie Lawson and
Samuel P. Robinette
Novr. 1st 1890, this
Novr. 3rd 1890,

J. B. Allen Deputy
for A. B. Munsey S. C. C.

VIRGINIA:—In the Clerk's Office of
the Circuit Court of the County of Lee
on the 29th day of October 1890.

F. W. L. Welch Guard, Plff }
vs. } In Chan'y.
Amanda Welsh & others }
Defts. }

The object of this suit is to sell the
land in the Bill and proceedings men-
tioned.

And an affidavit having been made
and filed that the defendants Mary
Young and Zachariah Robinett are non
residents of the State of Virginia, it is
ordered that they do appear here within
15 days after due publication hereof,
and do what may be necessary to protect
their interest in this suit. And it is
further ordered that a copy hereof be
published once a week for four weeks in
some newspaper, and that a copy be
forthwith posted at the front door of the
court house of this county.

A copy—Teste:

J. A. G. HYATT, Clerk.

A. L. PRIDEMORE, p. q.

314w

I, Geo. W. Blankenship, Editor of the LEE COUNTY RE-
PUBLICAN, a weekly newspaper published in the town of
Jonesville, and County of Lee, hereby certify that the fore-
going Order of Publication was duly published in the above
named paper for four successive weeks ending Nov.

22,

1890.

Geo. W. Blankenship
Editor LEE Co., REPUBLICAN

F. W. L. Welchman

no 3 Pub. Certif.

Amanda Welchman

Filed Nov 22 1890.

J. A. Hyatt &